



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-5171



August 15, 2002

Raymond Stankunas  
Emerald Lake Village District  
103 Gould Pond Road  
Hillsboro, NH 03244

**LETTER OF DEFICIENCY# WSEB 02-102**  
**CERTIFIED MAIL# 7099 3400 0003 0692 3331**

Subject: Hillsboro - Public Water System: Emerald Lake (EPA# 1141020)

Dear Mr. Stankunas:

The records of the Department of Environmental Services (DES) show that the Emerald Lake water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system serving 15 or more services, or 25 or more people for 60 days or more a year.

RSA 485:8, II prohibits the addition of a source to a public water system without approval by DES. Pursuant to New Hampshire Administrative Rule Env-Ws 378.04, a PWS must, *inter alia*, submit a final well siting report and obtain approval for a new well from DES before such a well may be connected to a community water system. The Emerald Lake water system submitted a preliminary well siting report for the "Mary Rowe" well, and a pumping test was performed in March 2000. In subsequent conversations with system representatives, DES staff outlined the process to obtain final approval of the new well. To date, DES has not received a final well siting report for the Mary Rowe well. Therefore, DES has not issued an approval of this source. On August 2, 2002, DES staff visited the Emerald Lake water system and determined that the Mary Rowe well was on-line and operational. The water system's certified operator, Joseph Damour, has confirmed that this well has been on-line since 2000. The connection of the Mary Rowe well to the Emerald Lake water system without DES approval places the system in violation of RSA 485:8 and Env-Ws 378.

Env-Ws 378 requires that within one week of a new well being connected to a water system, system representatives submit a written request for a monitoring (sampling) schedule for that source. Env-Ws 321 through 329 requires each water system to sample for a variety of contaminants at the time designated by DES, in accordance with the system's master sampling schedule. Since no notification was given to DES stating that the well was connected, and no sampling schedule was requested, the system has failed since 2000 to monitor the Mary Rowe well to ensure compliance with the drinking water standards. To date, DES has received only the results of the March 2000 Safe Drinking Water Act samples. The use of the Mary Rowe well as a source for a public water system without monitoring water quality in accordance with a master sampling schedule places the system in violation in Env-Ws 321 through 329. To ensure the protection of public health, DES, as noted below, is requiring monitoring of the water quality of the Mary Rowe well during the time the system seeks final approval of the well. Water quality monitoring of the well will continue as long as the well is connected to the water system.

DES believes the violations can be corrected by taking the following actions:

**By September 30, 2002**, submit third quarter (Q3) samples to the State laboratory or a state-certified laboratory in accordance with the enclosed Master Sampling Schedule;  
and

2. **By November 15, 2002**, submit a final well siting report that meets the requirements of Env-Ws 378 for the Mary Rowe well to DES for review and approval.

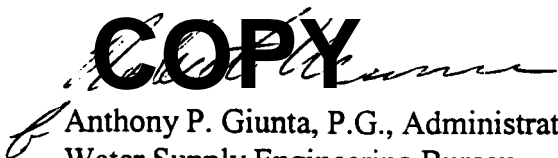
In the event compliance is not achieved within this time period, DES may take further enforcement action, including issuing an order requiring the deficiency to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The final well siting report, as requested above, should be addressed as follows:

Diana Morgan  
Department of Environmental Services  
Water Supply Engineering Bureau  
6 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

If you have any question concerning the requirements of the final well siting report, please call Diana Morgan at (603) 271-2947 or e-mail her at [dmorgan@des.state.nh.us](mailto:dmorgan@des.state.nh.us). Please call Alan Leach at (603) 271-2854 or e-mail him at [aleach@des.state.nh.us](mailto:aleach@des.state.nh.us) if you have any questions regarding this letter.

Sincerely,

**COPY**  
  
Anthony P. Giunta, P.G., Administrator  
Water Supply Engineering Bureau

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encl: Master Sampling Schedule and Analysis Request Forms

cc: ✓Gretchen Rule, DES Legal Unit (w/o encl.)  
Brandon Kernen, WSEB (w/o encl.)  
James Coffey, Town of Hillsboro Health Officer (w/o encl.)  
Joseph Damour, Primary Operator  
US EPA, Region 1 (w/o encl.)